IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/770,433

First named inventor: Adam Leslie Clark

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Examiner: Tsung Yin Tsai
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Commissioner for Patents
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APPEAL BRIEF

Sir:

This Brief is submitted in support of the Notice of Appeal mailed May 1, 2008. Consideration of this Appeal by the Board of Patent Appeals and Interferences for allowance of the above-captioned patent application is respectfully requested.

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I. REAL PARTY IN INTEREST

The real party in interest for this appeal is Adam's Platform PTY LTD. ACN 104 372 287, having a place of business at 1 Railway Crescent, Suite 1, Croydon, Victoria, Australia 3136.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals and interferences.

III. STATUS OF CLAIMS

Claims 4 and 16 have been cancelled and claims 1-3, 5-15, and 17-23 are pending and were rejected in the Final Office Action of February 1, 2008. The rejection of claims 1-3, 5-15, and 17-23 is being appealed.

IV. STATUS OF AMENDMENTS

There are no pending amendments to the claims.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claims 1 and 14 are the sole independent claims pending on appeal.

Claim 1 reads as follows:

> A method for decoding an encoded video file, comprising:
> receiving the encoded video file, wherein the encoded video file includes a plurality of encoded video data tables and a plurality of reference pixel value sets, the reference pixel value sets corresponding to those pixels having most significant color component intensity values for pixels within a video frame from which the encoded video data tables were produced;
> decoding the plurality of encoded video data tables using the plurality of reference pixel value sets; and
> returning decoded video data.

Claim 14 reads as follows:

> A method for decoding an encoded pixel, comprising:
> receiving, from an encoder, the encoded pixel and a reference pixel value set, the reference pixel value set corresponding to a pixel having a most significant color component intensity value for pixels within a video frame from which the encoded pixel was produced;
> decoding the encoded pixel using the reference pixel value set; and
> returning decoded pixel data.

As indicated by these claims, the present invention relates to the method for decoding an encoded video file and/or pixel. The method of claim 1 includes a plurality of reference pixel value sets. The reference pixel value sets are used to decode a plurality of encoded video data tables. The reference pixel value sets correspond to "those pixels having most significant color component intensity values for pixels within a video frame from which the encoded video data tables were produced."

The method of claim 14 includes a reference pixel value set. The reference pixel value set is used to decode an encoded pixel. The reference pixel value set corresponds to "a pixel having most significant color component intensity value for pixels within a video frame from which the

encoded pixel was produced."

Using such a reference pixel set(s) corresponding to a pixel(s) having a most significant color component intensity value for pixels within a video frame to decode a plurality of encoded video data tables or a pixel allows for more efficient communication of a high-quality video transmission over a low-bandwidth connection when compared with the prior art.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-3, 5-15, and 17-23 are patentable over US Patent No. 5,764,804, (hereinafter "Yajima") in view US Patent No. 5,974,172 (hereinafter "Chen").

VII. ARGUMENT

Claims 1-3, 5-15, and 17-23 are patentable over Yajima in view of Chen because the cited combination of references fails to teach or suggest each and every element as set forth in the present claims.

Yajima fails to teach or suggest using reference pixel value sets that correspond to "those pixels having most significant color component intensity values for pixels within a video frame from which the encoded video data tables were produced," as recited in claim 1, to decode an encoded video file. Likewise, Yajima fails to teach or suggest using a reference pixel value set that corresponds to "a pixel having most significant color component intensity value for pixels within a video frame from which the encoded pixel was produced," as recited in claim 14, to decode an encoded pixel.

The Examiner admits that Yajima fails to teach "where most significant color component intensity values for pixel within a video frame" (Final Office Action, page 3.) and asserts that Chen overcomes this deficiency. However, not only does Chen fail to mention reference pixel value sets, Chen also fails to mention reference pixel value sets that correspond to "those pixels having most significant color component intensity values for pixels within a video frame from which the encoded video data tables were produced" as recited in the present claims.

Instead, Chen is directed to a method for "compressing image data without segmenting the image data into scanned and non-scanned components." *Chen* at Abstract. Chen teaches a method for compressing a data image including "classifying each partitioned block on whether the partitioned block is determined to be color variant or determined to be color invariant." *Id.* at col. 5 lines 7-10. Thus, Chen teaches classifying partitioned blocks based on whether they are color variant or invariant. Such a classification is made without regard to color component intensity values. Therefore, even if the partitioned block of Chen is analogous to a reference pixel value set, which the Applicant does not admit, the disclosure of Chen still fails to teach or suggest using reference pixel value sets that correspond to "those pixels having most significant color component intensity values for pixels within a video frame from which the encoded video data tables were produced," as recited in claim 1, to decode an encoded video file. Likewise, Chen fails to teach or suggest using a reference pixel value set that corresponds to "a pixel having most significant color component intensity value for pixels within a video frame from which the encoded pixel was produced," as recited in claim 14, to decode an encoded pixel.

In the Final Office Action, the Examiner cites Lambert, Ando, Kubota, Evelin, and Carr in addition to Yajima and Chen for describing various elements of dependent claims 2-3, 5-13, 15, and 18-23. However, claims 2-3, 5-13, 15, and 18-23 should at least be patentable by virtue of their dependency from independent claims 1 and 14, respectively.

Therefore, the combination of Yajima and Chen fail to teach or suggest each and every element as set forth in the present claims. Furthermore, the combinations of Yajima, Chen, Lambert, Ando, Kubota, Evelin, and Carr also fail to teach or suggest each and every element as set forth in the present claims. For at least these reasons then, the conclusions of obviousness set forth in the Final Office Action are flawed and the present claims should be deemed patentable over the combination of Yajima, Chen, Lambert, Ando, Kubota, Evelin, and Carr.

VIII. CONCLUSION

For at least the foregoing reasons, the claims are patentable over the combination of Yajima, Chen, Lambert, Ando, Kubota, Evelin, and Carr.

If there are any additional fees due in connection with the filing of this Brief of Appeal, please charge our deposit account 19-3140.

Respectfully submitted,

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Dated: July 1, 2008

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IX. CLAIMS APPENDIX

The claims on appeal read as follows:

1. (Previously Presented) A method for decoding an encoded video file, comprising:

receiving the encoded video file, wherein the encoded video file includes a plurality of encoded video data tables and a plurality of reference pixel value sets, the reference pixel value sets corresponding to those pixels having most significant color component intensity values for pixels within a video frame from which the encoded video data tables were produced;

decoding the plurality of encoded video data tables using the plurality of reference pixel value sets; and

returning decoded video data.

2. (Original) The method of claim 1, wherein decoding the plurality of encoded video data tables comprises:

analyzing each encoded video data table of the plurality of encoded video data tables sequentially, wherein each encoded video data table represents an encoded video frame;

decomposing each encoded video data table into a plurality of rows, wherein each row includes a dominant color value, a scaled color value, and a scaled value set; and

for each row,

determining a reference pixel parameter set of the plurality of reference pixel parameter sets by looking-up the dominant color value within the plurality of reference pixel value sets;

multiplying the scaled value set by the reference pixel parameter set to provide an expanded value set;

multiplying the scaled color value by the reference pixel parameter set to provide a pixel color parameter set; and

storing the expanded value set and the pixel color parameter set into a decoded row in a decoded video data table.

3. (Original) The method of claim 1, wherein each encoded video data table of the plurality of encoded video data tables includes a plurality of rows, wherein each row of the plurality of rows includes a dominant color value of a plurality of dominant color values, a scaled color value of a plurality of color values, and a scaled value set of a plurality of scaled value sets.

4. (Cancelled)

5. (Previously Presented) The method of claim 3, wherein the plurality of dominant color values comprises a red value, a blue value, and a green value.

6. (Original) The method of claim 1, wherein the plurality of reference pixel value sets includes a red reference pixel value set, a blue reference pixel value set, a green reference pixel value set, and a black reference pixel value set.

7. (Original) The method of claim 6, wherein each reference pixel value set of the plurality of reference pixel value sets includes a reference color value set, a reference chrominance value, and a reference luminance value.

8. (Original) The method of claim 2, wherein decoding the plurality of encoded video data tables further comprises constructing the decoded video data from a plurality of the decoded video data table.

9. (Original) The method of claim 1, wherein decoding the encoded video file includes reading header information including parameters describing the decoded video file.

10. (Original) The method of claim 2, wherein the expanded value set includes an expanded chrominance value, and expanded luminance value.

11. (Original) The method of claim 2, wherein the pixel color parameter set include one or more of RGB values, CMYK values, component video values, and composite video values.

12. (Original) The method of claim 2, wherein the encoded video file is received from a network file server.

13. (Original) The method of claim 2, wherein the decoded video file is formatted as one or more broadcast protocol, wherein the broadcast protocols include NTSC, PAL, SECAM, RGB, CMYK, and HDTV.

14. (Previously Presented) A method for decoding an encoded pixel, comprising:

receiving, from an encoder, the encoded pixel and a reference pixel value set, the reference pixel value set corresponding to a pixel having a most significant color component intensity value for pixels within a video frame from which the encoded pixel was produced;

decoding the encoded pixel using the reference pixel value set; and

returning decoded pixel data.

15. (Previously Presented) The method of claim 14, wherein decoding the encoded pixel comprises:

decomposing the encoded pixel into a dominant color value, a scaled color value, and a scaled value set; and

multiplying the scaled value set by the reference pixel value set to provide an expanded value set; and

multiplying the scaled color value by the reference pixel value set to provide a pixel color parameter set.

16. (Cancelled)

17. (Previously Presented) The method of claim 15, wherein the dominant color values is one of a red value, a blue value, or a green value.

18. (Original) The method of claim 14, wherein the reference pixel value set is one of a red reference pixel value set, a blue reference pixel value set, a green reference pixel value set, or a black reference pixel value set.

19. (Original) The method of claim 18, wherein the reference pixel value set includes a reference color value set, a reference chrominance value, and a reference luminance value.

20. (Original) The method of claim 15, wherein decoding the encoded pixel includes reading header information including parameters describing the decoded pixel.

21. (Original) The method of claim 15, wherein the expanded value set includes an expanded chrominance value, and expanded luminance value.

22. (Original) The method of claim 15, wherein the pixel color parameter set includes one or more of RGB values, CMYK values, component video values, and composite video values.

23. (Original) The method of claim 15, wherein the encoded pixel is received from a network file server.

X. EVIDENCE APPENDIX

None.

XI. RELATED PROCEEDINGS APPENDIX

None.